



11-01-04

3653

161

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
The application of:
Jean-Pierre Giraud
Application No.: Group Art Unit:
09/751,191 3653
Filing Date: Examiner:
December 29, 2000 Michael E. Butler
For: Meter Strip Assembly

RECEIVED.

NOV 5 2004

GROUP 3600

Dupe
Dupes
filed
Pet grnd

**PETITION AND REQUEST FOR RESCINDMENT OF NOTICE OF
ABANDONMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attention: Technology Center 3600
SPE Donald Walsh

Dear Sir:

Upon review of the Patent Application Information Retrieval (PAIR) System, the undersigned discovered that the above-captioned application has become abandoned. Although a Notice of Abandonment was issued on June 2, 2004, the Notice was sent to the undersigned's previous law firm, hence the delay in the undersigned's receipt of the actual Notice.

CERTIFICATE OF MAIL UNDER 37 CFR 1.8

Date: October 29, 2004

I hereby certify that this paper, along with any document or paper referred to as being attached, is being deposited with the United States Postal Service as First Class Mail with sufficient postage under 37 CFR 1.8 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Corliss D. Ortiz

(Name of person mailing correspondence)

Corliss D. Ortiz

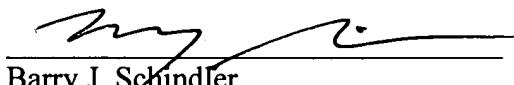
(Signature of person mailing correspondence)

1. January 20, 2004, a Request for Continued Examination (RCE) accompanied by a Petition and fee for a one month extension of time, a Preliminary Amendment in response to the July 17, 2003 Office Action and a self addressed stamped postcard was submitted to the U.S. Patent and Trademark Office. For the convenience of the Office, the undersigned has attached a copy of the RCE request as well as the Petition for Extension, Preliminary Amendment and postcard;
2. The Preliminary Amendment became detached from the RCE somewhere at the Patent Office. The undersigned has also attached a copy of the USPTO date stamped postcard-confirming receipt by the Office of each of the aforementioned documents.
3. A paralegal for Assignee spoke with Examiner Michael Butler on June 23, 2004 regarding the Notice of Abandonment. At that time, Examiner Butler indicated that he had made a search of the Patent Office for the detached Preliminary Amendment but was unable to locate the document. The Examiner indicated that the Notice of Abandonment was issued in an attempt to get applicant's attention for the re-submission of the Preliminary Amendment.

In view of the above, the applicant respectfully petitions the Office to rescind the Notice of Abandonment and reinstate the pendency of this application. Moreover, applicant requests that the Examiner review the January 20, 2004 Preliminary Amendment and issue an action on the merits.

Although no fee is believed to be due in connection with this Petition as the de-attachment of the Preliminary Amendment from the RCE was clearly a PTO error, the undersigned hereby authorizes the Commissioner to charge any fee, which may be deemed due in connection with this filing to the undersigned deposit account 501561.

Respectfully submitted,


Barry J. Schindler
Registration No. 32,938

Greenberg Traurig, LLP
885 Third Avenue, 21st Floor
New York, New York 10022
Telephone: (212) 801-2100
Facsimile: (212) 688-2449
E-mail: SchindlerB@gtlaw.com